



PATENT  
Attorney Docket No. 3180.0329

*T. Lee*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
HARUKO AKUTSU ET AL. ) Group Art Unit: 2877  
)  
Application No.: 10/635,539 ) Examiner: H. Pham  
)  
Filed: August 7, 2003 ) Confirmation No.: 9696  
)  
For: APPARATUS AND METHOD FOR )  
EVALUATING SEMICONDUCTOR )  
MATERIAL )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Each document listed in this Information Disclosure Statement was first cited in a Notice of Grounds for Rejection issued by the Japanese Patent Office, mailed April 18, 2006, in a counterpart Japanese application, and this Information Disclosure Statement is being filed within thirty days of the mailing date of that communication. In accordance with 37 C.F.R. § 1.704(d), no negative patent term adjustment consequences will apply to this Information Disclosure Statement.

Copies of the listed foreign and non-patent literature documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language translation of the Notice of Grounds for Rejection issued by the Japanese Patent Office in the counterpart Japanese application citing these documents and setting forth the relevance thereof is enclosed. In addition, English-language Abstracts of the Japanese published applications are provided.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: \_\_\_\_\_

5/18/06

By: \_\_\_\_\_

Richard V. Burgulian  
Reg. No. 31,733

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/635,539

Filing Date

August 7, 2003

First Named Inventor

Haruko Akutsu

Art Unit

2877

Examiner Name

H. Pham

Attorney Docket Number

3180.0329

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
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Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

## FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 6-318560	11/15/94	NEC Corp.		Abstract
		JP 63-155628	6/28/88	Matsushita Electronics Corp.		Abstract

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Notice of Grounds for Rejection issued by the Japanese Patent Office mailed April 18, 2006, for Japanese Patent Application No. 2003-100442, and English-language translation thereof	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.